

Message Text

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ORIGIN ARA-10

INFO OCT-01 SS-14 ISO-00 L-02 DEAE-00 SNM-02 CIAE-00

INR-10 NSAE-00 RSC-01 /040 R

66610

DRAFTED BY: ARA:APSHANKLE

APPROVED BY: ARA:APSHANKLE

L/M/SCA:TTALLERICO (DRAFT)

DEA:JSTRICKLER (DRAFT)

ARA/BC:JBINNS (DRAFT)

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R 122007Z FEB 74

FM SECSTATE WASHDC

TO AMEMBASSY LA PAZ

C O N F I D E N T I A L STATE 028448

LIMDIS

REF: (A) LA PAZ 0712, (B) STATE 010555

SUBJ: JOSE KENNETH PENARANDA (CI-73-0042

JORGE BARA, ET. AL.)

(1) ALTHOUGH LEGAL ADVISOR LEDEZMA AND MININTERIOR CASTRO APPARENTLY HAVE SOMETHING ELSE IN MIND, PROCEDURE OUTLINED IN REFTEL, PARTICULARLY NECESSITY TO SUBMIT REQUEST AND DOCUMENTS TO FOREIGN OFFICE, APPEARS TO US TO BE SAME AS THAT FOR EXTRADITION REQUEST. WHILE DEPARTMENT KNOWS THAT BOLIVIA ON OCCASION EXPELS ITS OWN CITIZENS, WE ARE UNAWARE OF ANY FORMAL PROCEDURE BY WHICH GOB CAN DO THIS AT REQUEST OF ANOTHER GOVERNMENT OTHER THAN BY EXTRADITION. DEPARTMENT FEARS FOREIGN OFFICE WOULD VIEW PROCEDURE AS EXTRATITION WHICH RAISES POLITICAL RISK DISCUSSED IN REFTEL (A), NOTWITHSTANDING THE GOOD FAITH OF MINISTRY OF INTERIOR OFFICIALS. IF EMBASSY PERSUADED PROCEDURE IS SOMETHING SHORT OF EXTRADITION, PLEASE EXPLAIN IN GREATER DETAIL AND COMMENT ON WHAT CHANCES

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MIGHT BE OF AVOIDING COMPLICATIONS IN FOREIGN OFFICE.

(2) IF PROCESS DESCRIBED IS EXTRADITION IN FACT, DEPARTMENT SHARES EMBASSY VIEW THAT TO GO THIS ROUTE WOULD PROBABLY NOT BE FRUITFUL. WE WOULD RATHER CONTINUE TO SEEK OTHER METHODS TO SECURE HIS CUSTODY, THAN RISK JEOPARDIZING THE HIGH DEGREE OF BOLIVIAN COOPERATION IN GENERAL NARCOTICS MATTERS BY BECOMING EMBROILED IN AN EXTRADITION CASE THAT WE PROBABLY COULD NOT WIN ON LEGAL GROUNDS IN VIEW EXTRADITION TREATY DOES NOT COVER NARCOTICS NOR REQUIRE EXTRADITION OF CITIZENS. DEA CONCURS IN THIS CONCLUSION.

(3) DID EMBASSY PROPOSE TO MININTERIOR THAT PENARANDO BE SENT ABROAD ON SOME KIND OF MISSION AS SUGGESTED REFTEL (B)? KISSINGER

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Message Attributes

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